

issuance of trappers' licenses and the disposition of the license fees; defining offenses and prescribing penalties for the violation thereof; providing certain closed seasons on certain wild fur-bearing animals; making it the duty of the Game, Fish and Oyster Commissioner and his deputies to enforce the provisions; declaring all the wild fur-bearing animals of this State to be the property of the people of this State; repealing all laws in conflict herewith, and declaring an emergency," postponed indefinitely.

H. B. No. 60, A bill to be entitled "An Act amending Article 7542 as amended by the Acts of 1897, defining the duties of the tax assessor and his deputies, prescribing an oath to be administered to the tax payers and those who render property for taxation, and providing a penalty for failure to comply with the requirements of this Act."

H. B. No. 63, A bill to be entitled "An Act for the collection of inheritance taxes and empowering the Comptroller with authority to appoint suitable persons for that purpose and providing for their compensation; repealing all laws in conflict herewith, and declaring an emergency."

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

#### Bills Read and Referred.

The Chair (Lieutenant Governor T. W. Davidson) had referred, after their captions had been read, the following House bills:

H. C. R. No. 11, to the Committee on Finance.

H. B. No. 63, to the Committee on State Affairs.

H. B. No. 60, to the Committee on Criminal Jurisprudence.

#### Adjournment.

Senator Fairchild moved to adjourn until 9:30 a. m. tomorrow.

Yeas and nays were demanded, and the motion prevailed by the following vote:

#### Yeas—14.

|            |           |
|------------|-----------|
| Bailey.    | Holbrook. |
| Baugh.     | Lewis.    |
| Burkett.   | McMillin. |
| Cousins.   | Rice.     |
| Doyle.     | Strong.   |
| Fairchild. | Watts.    |
| Floyd.     | Woods.    |

#### Nays—9.

|          |         |
|----------|---------|
| Murphy.  | Turner. |
| Parr.    | Wirtz.  |
| Pollard. | Witt.   |
| Rogers.  | Wood.   |
| Stuart.  |         |

#### Absent—Excused.

|          |           |
|----------|-----------|
| Bledsoe. | Davis.    |
| Bowers.  | Ridgeway. |
| Clark.   | Thomas.   |
| Darwin.  |           |

Accordingly at 5:25 p. m., the Senate adjourned until 9:30 a. m. tomorrow.

#### THIRTEENTH DAY.

Senate Chamber,  
Austin, Texas,

Tuesday, June 5, 1923.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

|            |           |
|------------|-----------|
| Bailey.    | Parr.     |
| Baugh.     | Pollard.  |
| Burkett.   | Rice.     |
| Clark.     | Ridgeway. |
| Cousins.   | Rogers.   |
| Darwin.    | Strong.   |
| Doyle.     | Stuart.   |
| Fairchild. | Turner.   |
| Floyd.     | Watts.    |
| Holbrook.  | Wirtz.    |
| Lewis.     | Witt.     |
| McMillin.  | Wood.     |
| Murphy.    | Woods.    |

#### Absent—Excused.

|          |         |
|----------|---------|
| Bledsoe. | Davis.  |
| Bowers.  | Thomas. |

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.

(See Appendix for committee reports, petitions and memorials.)

### Excused.

Senator Bledsoe for last Thursday and Friday, and indefinitely, on account of important business, on motion of Senator Baugh.

Senator Thomas for today, on account of important business, on motion of Senator Strong.

### S. B. No. 3 on Engrossment.

The Chair laid before the Senate as pending business, on its passage to engrossment, S. B. No. 3, making appropriations for the support of the State educational institutions, the same having been under consideration when the Senate adjourned on yesterday, a motion to adopt the committee report having been made, and an amendment offered by Senator Wood, and the previous question having been ordered on both.

Question: Shall the amendment by Senator Wood be adopted?

Senator Wood moved to reconsider the vote by which the previous question was ordered, and the motion to reconsider prevailed.

The question then recurring on the motion to order the main question, the motion was lost.

(Senator Holbrook in the Chair.)

Question then recurred on the amendment by Senator Wood.

Yeas and nays were demanded, and the amendment was adopted by the following vote:

#### Yeas—17.

|           |           |
|-----------|-----------|
| Bailey.   | Rice.     |
| Baugh.    | Ridgeway. |
| Clark.    | Stuart.   |
| Darwin.   | Turner.   |
| Holbrook. | Watts.    |
| Lewis.    | Wirtz.    |
| Murphy.   | Witt.     |
| Parr.     | Wood.     |
| Pollard.  |           |

#### Nays—5.

|            |           |
|------------|-----------|
| Doyle.     | McMillin. |
| Fairchild. | Woods.    |
| Floyd.     |           |

### (Pairs Recorded.)

Senator Strong (present), who would vote nay; with Senator Davis (absent), who would vote yea.

Senator Rogers (present), who would vote yea; with Senator Thomas (absent), who would vote nay.

Senator Cousins (present), who would vote nay; with Senator Bowers (absent), who would vote yea.

Senator Burkett (present), who would vote nay; with Senator Bledsoe (absent), who would vote yea.

The committee report, as amended, was then adopted.

(Senator Fairchild in the Chair.)

Senator Burkett offered an amendment covering 140 pages, and which was the itemized bill reported by the Senate Finance Committee in the Second Called Session, with certain eliminations. On account of its great length, it was, on motion of Senator Bailey, ordered not printed in the Journal, but only a note thereof made by the Journal Clerk, and such motion was accepted by Senator Burkett.

Senator Wood moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

#### Yeas—15.

|           |           |
|-----------|-----------|
| Clark.    | Ridgeway. |
| Darwin.   | Rogers.   |
| Floyd.    | Stuart.   |
| Holbrook. | Turner.   |
| Lewis.    | Wirtz.    |
| Murphy.   | Witt.     |
| Parr.     | Wood.     |
| Pollard.  |           |

#### Nays—6.

|          |            |
|----------|------------|
| Bailey.  | Fairchild. |
| Burkett. | Rice.      |
| Doyle.   | Woods.     |

#### Absent.

Watts.

#### Absent—Excused.

|          |         |
|----------|---------|
| Bledsoe. | Thomas. |
|----------|---------|

### (Pairs Recorded.)

Senator McMillin (present), who would vote nay; with Senator Baugh (absent), who would vote yea.

Senator Strong (present), who would vote nay; with Senator Davis (absent), who would vote yea.

Senator Cousins (present), who would vote nay; with Senator Bowers (absent), who would vote yea.

Senator Doyle offered the following amendment to the bill:

Amend S. B. No. 3, page 64 of the Journal, by striking out the figures "\$15,000" and insert in lieu thereof the figures "\$10,000" in first column.

Senator Floyd moved that the Senate recess until 2:30 p. m. today.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—8.

|          |            |
|----------|------------|
| Bailey.  | Fairchild. |
| Burkett. | Floyd.     |
| Clark.   | Holbrook.  |
| Doyle.   | Woods.     |

Nays—15.

|           |           |
|-----------|-----------|
| Cousins.  | Ridgeway. |
| Darwin.   | Rogers.   |
| Lewis.    | Stuart.   |
| McMillin. | Turner.   |
| Murphy.   | Wirtz.    |
| Parr.     | Witt.     |
| Pollard.  | Wood.     |
| Rice.     |           |

Absent.

|         |        |
|---------|--------|
| Baugh.  | Watts. |
| Strong. |        |

Absent—Excused.

|          |         |
|----------|---------|
| Bledsoe. | Davis.  |
| Bowers.  | Thomas. |

On motion of Senator Witt, the amendment by Senator Doyle was tabled.

Senator Woods offered the following amendment to the bill:

Amend S. B. No. 3, by making a straight reduction of 5% of the sundry appropriations in each institution, except that the items for buildings at East Texas Teachers College and the South Texas Teachers College.

Senator Bailey offered the following amendment to the amendment:

Amend the pending amendment by exempting the items of appropriations for the Experimental Substations, and leaving them as in the original bill.

The amendment to the amendment was adopted.

Senator Rogers moved the previous question on the amendment and the engrossment of the bill, and the motion was seconded.

Question: Shall the main question be now put?

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—15.

|           |           |
|-----------|-----------|
| Baugh.    | Ridgeway. |
| Cousins.  | Rogers.   |
| Darwin.   | Stuart.   |
| Holbrook. | Turner.   |
| Murphy.   | Wirtz.    |
| Parr.     | Witt.     |
| Pollard.  | Wood.     |
| Rice.     |           |

Nays—8.

|            |           |
|------------|-----------|
| Bailey.    | Floyd.    |
| Burkett.   | Lewis.    |
| Doyle.     | McMillin. |
| Fairchild. | Woods.    |

Absent.

|         |        |
|---------|--------|
| Clark.  | Watts. |
| Strong. |        |

Absent—Excused.

|          |         |
|----------|---------|
| Bledsoe. | Davis.  |
| Bowers.  | Thomas. |

Question first recurred on the amendment as amended.

Yeas and nays were demanded, and the amendment was lost by the following vote:

Yeas—6.

|            |        |
|------------|--------|
| Bailey.    | Floyd. |
| Burkett.   | Rice.  |
| Fairchild. | Woods. |

Nays—16.

|           |           |
|-----------|-----------|
| Baugh.    | Pollard.  |
| Darwin.   | Ridgeway. |
| Doyle.    | Rogers.   |
| Holbrook. | Stuart.   |
| Lewis.    | Turner.   |
| McMillin. | Wirtz.    |
| Murphy.   | Witt.     |
| Parr.     | Wood.     |

Absent.

|         |        |
|---------|--------|
| Clark.  | Watts. |
| Strong. |        |

Absent—Excused.

|          |         |
|----------|---------|
| Bledsoe. | Thomas. |
| Davis.   |         |

## (Pair Recorded.)

Senator Cousins (present), who would vote yea; with Senator Bowers (absent), who would vote nay.

Question then recurred on the passage of the bill to engrossment.

Yeas and nays were demanded, and the bill was passed to engrossment by the following vote:

## Yeas—14.

|           |           |
|-----------|-----------|
| Bailey.   | Ridgeway. |
| Baugh.    | Rogers.   |
| Darwin.   | Stuart.   |
| Holbrook. | Turner.   |
| Murphy.   | Wirtz.    |
| Parr.     | Witt.     |
| Pollard.  | Wood.     |

## Nays—8.

|            |           |
|------------|-----------|
| Burkett.   | Lewis.    |
| Doyle.     | McMillin. |
| Fairchild. | Rice.     |
| Floyd.     | Woods.    |

## Absent.

|         |        |
|---------|--------|
| Clark.  | Watts. |
| Strong. |        |

## Absent—Excused.

|          |         |
|----------|---------|
| Bledsoe. | Thomas. |
| Davis.   |         |

## (Pair Recorded.)

Senator Cousins (present), who would vote nay; with Senator Bowers (absent), who would vote yea.

## Recess.

On motion of Senator Bailey, the Senate at 12:30 p. m. recessed until 3 p. m. today.

## Afternoon Session.

The Senate met at 3 p. m. and was called to order by Lieutenant Governor T. W. Davidson.

## S. B. No. 19 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 19, A bill to be entitled "An Act providing for the collection

of an annual fee or tuition from those persons entering and attending the State colleges, normals, Agricultural and Mechanical College, West Texas Technological College, Grubbs Vocational College, John Tarlton College, College of Industrial Arts, and all branches of the University of Texas, and declaring an emergency."

The bill was read second time and the committee report that it be not printed, was adopted:

(Senator Strong in the Chair.)

Senator Rice moved that the bill be laid on the table subject to call, and be printed in the Journal.

The motion prevailed.

(Lieutenant Governor T. W. Davidson in the Chair.)

## H. B. No. 67 on Second Reading.

Senator Bailey moved that the regular order of business be suspended, and that the Senate take up out of its regular order, on second reading and passage to third reading, H. B. No. 67.

The motion prevailed by the following vote:

## Yeas—18.

|           |           |
|-----------|-----------|
| Bailey.   | Parr.     |
| Baugh.    | Pollard.  |
| Burkett.  | Ridgeway. |
| Clark.    | Rogers.   |
| Cousins.  | Stuart.   |
| Doyle.    | Turner.   |
| Floyd.    | Witt.     |
| Holbrook. | Wood.     |
| Lewis.    | Woods.    |

## Nays—5.

|            |         |
|------------|---------|
| Fairchild. | Strong. |
| McMillin.  | Wirtz.  |
| Rice.      |         |

## Absent.

|         |        |
|---------|--------|
| Darwin. | Watts. |
| Murphy. |        |

## Absent—Excused.

|          |         |
|----------|---------|
| Bledsoe. | Davis.  |
| Bowers.  | Thomas. |

The Chair then laid before the Senate on its second reading and passage to third reading,

H. B. No. 67, A bill to be entitled

"An Act levying and providing for the payment of a State occupation tax on those who, in this State, refine, compound, manufacture, blend or prepare gasoline or gasoline substitutes from petroleum or natural gas and sell same in intrastate commerce in this State; and levying a State occupation tax on those who make the first sale in intrastate commerce in this State of gasoline or gasoline substitute, brought into the State from outside the State which has been refined, compounded, manufactured, blended or prepared from petroleum or natural gas; requiring reports to be made, and records to be kept, and permitting inspection thereof by proper public officials, and prescribing penalties for failure to comply with the Act in order to facilitate collection of such occupation taxes; providing for the interest on delinquent taxes and penalties; making disposition of the taxes after collected; providing for suits for taxes, penalties and interest and compensation of officers bringing same; defining gasoline; declaring the legislative intent as to parts of the Act being held invalid; repealing the present gasoline occupation tax law; defining 'person' as used in the Act, and declaring an emergency."

The bill was read second time, and the Senate rule requiring committee reports to lie over one day was suspended by unanimous consent.

Senator Burkett moved to adopt the majority committee report.

Senator Strong moved to adopt the minority committee report.

Senator Bailey moved that further consideration of the bill be postponed until 3 p. m. tomorrow, and that it be made a special order for that hour, and also be printed in the Journal, together with proposed amendments.

Yeas and nays were demanded, and the motion prevailed by the following vote:

#### Yeas—14.

|            |         |
|------------|---------|
| Bailey.    | Parr.   |
| Baugh.     | Rice.   |
| Doyle.     | Rogers. |
| Fairchild. | Strong. |
| Holbrook.  | Turner. |
| McMillin.  | Wirtz.  |
| Murphy.    | Witt.   |

#### Nays—10.

|          |           |
|----------|-----------|
| Burkett. | Lewis.    |
| Clark.   | Pollard.  |
| Cousins. | Ridgeway. |
| Darwin.  | Stuart.   |
| Floyd.   | Woods.    |

Absent.

Watts.

Absent—Excused.

Bledsoe.

Bowers.

Thomas.

(Pair Recorded.)

Senator Wood (present), who would vote yea; with Senator Davis (absent), who would vote nay.

#### S. B. No. 3 on Third Reading.

On motion of Senator Witt, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 3 was put upon its third reading and final passage by the following vote:

#### Yeas—25.

|            |           |
|------------|-----------|
| Bailey.    | Parr.     |
| Baugh.     | Pollard.  |
| Burkett.   | Rice.     |
| Clark.     | Ridgeway. |
| Cousins.   | Rogers.   |
| Darwin.    | Strong.   |
| Doyle.     | Stuart.   |
| Fairchild. | Turner.   |
| Floyd.     | Wirtz.    |
| Holbrook.  | Witt.     |
| Lewis.     | Wood.     |
| McMillin.  | Woods.    |
| Murphy.    |           |

Absent.

Watts.

Absent—Excused.

Bledsoe.

Bowers.

Davis.

Thomas.

The Chair then laid S. B. No. 3 before the Senate on its third reading and final passage.

The bill was read third time.

Senator Burkett offered the following amendment to the bill:

Amend S. B. No. 3 by striking "\$228,526.40" each year from the Agricultural and Mechanical College budget for extension service.

On motion of Senator Wood, the amendment was tabled.

Senator Fairchild offered the following amendment to the bill:

Amend S. B. No. 3 by striking out "\$114,263" each year from Agricultural and Mechanical College appropriation for extension work.

On motion of Senator Wood, the amendment was tabled.

S. B. No. 3 was then finally passed by the following vote:

Yeas—14.

|           |           |
|-----------|-----------|
| Bailey.   | Pollard.  |
| Baugh.    | Ridgeway. |
| Clark.    | Stuart.   |
| Darwin.   | Turner.   |
| Holbrook. | Wirtz.    |
| Murphy.   | Witt.     |
| Parr.     | Wood.     |

Nays—6.

|            |           |
|------------|-----------|
| Burkett.   | Floyd.    |
| Doyle.     | McMillin. |
| Fairchild. | Strong.   |

Absent.

Watts. Woods.

(Pairs Recorded.)

Senator Rice (present), who would vote nay; with Senator Bledsoe (absent), who would vote yea.

Senator Cousins (present), who would vote nay; with Senator Davis (absent), who would vote yea.

Senator Lewis (present), who would vote nay; with Senator Bowers (absent), who would vote yea.

Senator Rogers (present), who would vote yea; with Senator Thomas (absent), who would vote nay.

#### H. B. No. 77 on Second Reading.

On motion of Senator Wood, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 77 was put upon its second reading and passage to third reading by the following vote:

Yeas—25.

|          |            |
|----------|------------|
| Bailey.  | Fairchild. |
| Baugh.   | Floyd.     |
| Burkett. | Holbrook.  |
| Clark.   | Lewis.     |
| Cousins. | McMillin.  |
| Darwin.  | Murphy.    |
| Doyle.   | Parr.      |

|           |         |
|-----------|---------|
| Pollard.  | Turner. |
| Rice.     | Wirtz.  |
| Ridgeway. | Witt.   |
| Rogers.   | Wood.   |
| Strong.   | Woods.  |
| Stuart.   |         |

Absent.

Watts.

Absent—Excused.

|          |         |
|----------|---------|
| Bledsoe. | Davis.  |
| Bowers.  | Thomas. |

The Chair then laid before the Senate on its second reading,

H. B. No. 77, A bill to be entitled "An Act making appropriations to pay salaries of judges and the support of the Judicial Department of the State Government for the two years beginning September 1, 1923, and ending August 31, 1925."

The bill was read second time.

The Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, and the committee report that the bill be not printed was adopted.

Senator Wood offered the following amendments to the bill:

(1)

Amend H. B. No. 77, page 1, by adding to the caption the following: "and declaring an emergency."

(2)

Amend H. B. No. 77, page 1, under the Supreme Court, by striking out the figures "\$600.00" in both columns after "Porter, court room, clerks, office and library," and insert in lieu thereof "\$720.00" in both columns.

(3)

Amend H. B. No. 77, under the Commission of Appeals, by striking out "\$600.00" in the first column for the porter's salary and insert in lieu thereof "\$720.00."

(4)

Amend H. B. No. 77, page 2, under the Court of Criminal Appeals, by striking out the figures "\$600.00" in both columns for the porter's salary and insert in lieu thereof "\$720.00."

(5)

Amend H. B. No. 77, page 10, by inserting above the item "Judge of the county court at law, Texarkana" the following:

"To pay the salary of the judge of the Ninety-second Judicial District,

for the months of April, May, June, July and August, \$1,666.67 for the first year."

The amendments were adopted.

The bill was then passed to third reading.

#### H. B. No. 77 on Third Reading.

On motion of Senator Wood, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 77 was put upon its third reading and final passage by the following vote:

Yeas—25.

|            |           |
|------------|-----------|
| Bailey.    | Parr.     |
| Baugh.     | Pollard.  |
| Burkett.   | Rice.     |
| Clark.     | Ridgeway. |
| Cousins.   | Rogers.   |
| Darwin.    | Strong.   |
| Doyle.     | Stuart.   |
| Fairchild. | Turner.   |
| Floyd.     | Wirtz.    |
| Holbrook.  | Witt.     |
| Lewis.     | Wood.     |
| McMillin.  | Woods.    |
| Murphy.    |           |

Absent.

Watts.

Absent—Excused.

|          |         |
|----------|---------|
| Bledsoe. | Davis.  |
| Bowers.  | Thomas. |

The Chair then laid H. B. No. 77 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—25.

|            |           |
|------------|-----------|
| Bailey.    | Parr.     |
| Baugh.     | Pollard.  |
| Burkett.   | Rice.     |
| Clark.     | Ridgeway. |
| Cousins.   | Rogers.   |
| Darwin.    | Strong.   |
| Doyle.     | Stuart.   |
| Fairchild. | Turner.   |
| Floyd.     | Wirtz.    |
| Holbrook.  | Witt.     |
| Lewis.     | Wood.     |
| McMillin.  | Woods.    |
| Murphy.    |           |

Absent.

Watts.

Absent—Excused.

|          |         |
|----------|---------|
| Bledsoe. | Davis.  |
| Bowers.  | Thomas. |

#### H. B. No. 35 on Third Reading.

On motion of Senator Witt, by unanimous consent, the regular order was suspended, and the Senate took up out of its regular order,

H. B. No. 35, A bill to be entitled "An Act amending the Act passed by the Thirty-eighth Legislature at its Regular Session, approved January 31, 1923, the same being House Bill No. 17, entitled 'An Act requiring the Board of Water Engineers and the State reclamation engineer, in conformity to the Statutes determining their powers and duties, to make, cause to be made, and report to the Governor an adequate topographical and hydrographic survey of the stream watersheds of the State, to the end that flood control, water conservation and economic utilization in reclamation development may be made practicable, advancing all such work as found feasible to the public welfare; directing the order in which said surveys and reports shall be made; providing for an appropriation to carry out the provisions of this Act, and declaring an emergency,' amending said bill so as to reduce the appropriation therein made; and declaring an emergency."

The Chair laid H. B. No. 35 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—19.

|            |           |
|------------|-----------|
| Clark.     | Rice.     |
| Cousins.   | Ridgeway. |
| Darwin.    | Rogers.   |
| Doyle.     | Strong.   |
| Fairchild. | Stuart.   |
| Floyd.     | Turner.   |
| Lewis.     | Witt.     |
| McMillin.  | Wood.     |
| Parr.      | Woods.    |
| Pollard.   |           |

Nays—6.

|          |           |
|----------|-----------|
| Bailey.  | Holbrook. |
| Baugh.   | Murphy.   |
| Burkett. | Wirtz.    |

Absent.

Watts.

Absent—Excused.

|          |         |
|----------|---------|
| Bledsoe. | Davis.  |
| Bowers.  | Thomas. |

**Message from the House.**

Hall of the House of Representatives,  
Austin, Texas, June 5, 1923.

Hon. T. W. Davidson, President of  
the Senate.

Sir: I am directed by the House  
to inform the Senate that the House  
has passed the following bills:

H. B. No. 57, A bill to be entitled  
"An Act extending for a period of  
five (5) years from the passage of  
this Act all permits to prospect for  
oil and gas heretofore issued on  
State submerged lands, islands, bays,  
marshes, river bed channels and  
lakes, and providing that all permits  
hereafter issued shall be for a period  
of five (5) years; and providing that  
such permits shall be extended on  
the condition that the owner shall  
pay to the State annually in advance  
during the life of the permit the re-  
quired sum or sums of money now  
provided by law, and that the owner  
of the permit shall drill, at the dis-  
cretion of the Commissioner of the  
General Land Office, such offset well  
or wells as may be necessary to pro-  
tect the State's interest in the area  
included in the permit."

H. B. No. 61, A bill to be entitled  
"An Act to amend Article 7547 of  
the Acts of the Revised Civil Stat-  
utes as amended by the Acts of 1909,  
page 373, prescribing the duties of  
the owner or agent of property sub-  
ject to taxation under the laws of  
this State and requiring such person  
to render property for taxation, and  
providing a penalty for failure to  
comply with the provisions of this  
Act."

H. B. No. 77, A bill to be entitled  
"An Act making appropriations to  
pay salaries of judges and the sup-  
port of the Judicial Department of  
the State Government for the two  
years beginning September 1, 1923,  
and ending August 31, 1925."

Respectfully submitted,

C. L. PHINNEY,  
Chief Clerk, House of Representatives.

**Bills Read and Referred.**

The Chair (Senator J. G. Strong)  
had referred, after their captions had  
been read, the following House bills:

H. B. No. 77, to the Committee on  
Finance.

H. B. No. 61, to the Committee on  
State Affairs.

H. B. No. 57, to the Committee on  
State Affairs.

**Adjournment.**

On motion of Senator Woods, the  
Senate at 5:45 p. m. adjourned until  
10 o'clock a. m. tomorrow.

**APPENDIX.****Committee Reports.**

Senate Chamber,  
Austin, Texas, June 5, 1923.

Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on En-  
grossed Bills, have had S. B. No. 3  
carefully compared and find same to  
be correctly engrossed.

DOYLE, Chairman.

(Majority Report.)

Committee Room,  
Austin, Texas, June 5, 1923.

Hon. T. W. Davidson, President of  
the Senate.

Sir: We, a majority of your Com-  
mittee on State Affairs, to whom was  
referred

H. B. No. 67, A bill to be entitled  
"An Act levying and providing for  
the payment of a State occupation  
tax on those, who, in this State, re-  
fine, compound, manufacture, blend  
or prepare gasoline or gasoline sub-  
stitute from petroleum or natural  
gas; requiring reports to be made,  
and records to be kept, and permit-  
ting inspection thereof by proper  
public officials, and prescribing pen-  
alties for failure to comply with the  
Act in order to facilitate collection  
of such occupation taxes; providing  
for interest on delinquent taxes and  
penalties; making disposition of the  
taxes after collected; defining gaso-  
line; declaring the legislative intent  
as to parts of the Act being held  
invalid; repealing the present gaso-  
line occupation tax law; defining  
'person' as used in the Act; and de-  
claring an emergency."

Have had same under considera-  
tion, and I am instructed to report  
the same back to the Senate with the  
recommendation that it do not pass,



but that the attached committee substitute do pass and be printed in the Journal.

WITT, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, June 5, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: I, a minority of your Committee on State Affairs, to whom was referred H. B. No. 67, have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, with an amendment dividing the taxes collected as a result of the bill between the school fund and the fund for the improvement of public roads and highways.

STRONG.

Committee Room,

Austin, Texas, June 5, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 77, A bill to be entitled "An Act making appropriations to pay salaries of judges, and the support of the Judicial Department of the State Government for the two years beginning September 1, 1923, and ending August 31, 1925."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, but be not printed.

WOOD, Chairman.

#### FOURTEENTH DAY.

Senate Chamber,

Austin, Texas,

Wednesday, June 6, 1923.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

|          |           |
|----------|-----------|
| Railey.  | Darwin.   |
| Baugh.   | Doyle.    |
| Bowers.  | Floyd.    |
| Burkett. | Holbrook. |
| Clark.   | Lewis.    |
| Cousins. | McMillin. |

|           |         |
|-----------|---------|
| Murphy.   | Strong. |
| Parr.     | Stuart. |
| Pollard.  | Thomas. |
| Rice.     | Wood.   |
| Ridgeway. | Woods.  |
| Rogers.   | Wirtz.  |
| Turner.   | Witt.   |

Absent—Excused.

|          |            |
|----------|------------|
| Bledsoe. | Fairchild. |
| Davis.   | Watts.     |

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Strong.

Excused.

Senator Watts for yesterday and until Monday, on account of important business, on motion of Senator Wood.

#### H. B. No. 9 on Second Reading.

The Chair laid before the Senate as regular order, on second reading.

H. B. No. 9, A bill to be entitled "An Act levying and providing for the payment of a State occupation tax on the mining and production of sulphur by any method, system or manner, within this State; requiring reports to be made and records to be kept by those engaged in the business, and providing for the inspection thereof by certain public officials, their employees or representatives; prescribing penalties for the failure to comply with provisions of this Act; providing for the payment of interest, penalties and costs by certain officials; fixing the venue therefor and the compensation of officials for said services; repealing House Bill No. 328 passed at the Regular Session of the Thirty-eighth Legislature, levying an occupation tax on the production of sulphur, and declaring an emergency."

The bill was read second time.

Senator Witt moved to adopt the minority report that the bill pass with amendment reducing the tax to 2 per cent.

Senator Holbrook moved to adopt the majority report carrying amendments.

Senator Wirtz moved to postpone further consideration of the bill indefinitely.

Senator Floyd moved to lay the bill on the table subject to call, and the motion was lost.